

DECLARATION OF IRENE GUTIERREZ

I, Irene Gutierrez, hereby declare under the penalty of perjury pursuant to 28 U.S.C. § 1746:

1. I make this declaration based on my personal knowledge and based upon information provided to me as the Executive Director for Community Services. If called as a witness, I could and would testify competently and truthfully to these matters.
2. I have worked for El Paso County (County) for the last 23 years. In my capacity as the Executive Director for Community Services, I oversee administrative, personnel, and department operations.
3. El Paso County is a multicultural border community largely made up of immigrants. El Paso County has over 850,000 residents, more than 82 percent of whom are Hispanic and more than 25 percent of whom are foreign-born. Immigrant households are an integral part of the El Paso Community. Many of these households are mixed-status families, with U.S. citizen living with undocumented family members who are their fathers, mothers, or children.
4. Approximately every 4 years, the County issues its strategic goals and plans. One of the County's strategic goals is to "Advance Community Support Services."
5. The goal to "Advance Community Support Services" includes two objectives: Develop and Implement programs to eradicate poverty and increase social mobility; and Enhance County services responsive to immigrant population needs.
6. The County devotes resources to Enhance County services responsive to immigrant population needs because it seeks to ensure humane and safe passage of asylum seekers.

7. The County's strategic vision also involves serving its constituency by fostering the inclusion and quality of life for local immigrants and refugees and promoting collaboration with external partners such as Mexico.
8. An example of the programming created by El Paso County to serve its strategic vision is the Office of New Americans (ONA), which aims to improving the inclusion, integration, and overall quality of life for the county's immigrants and refugees through enhanced collaboration with the community, education institutions, non-profits, and interfaith organizations. In collaboration with other county departments, the ONA supports and facilitates community programs and presentations on topics such as citizenship workshops, English as a Second Language (ESL) classes, and legal rights.
9. The ONA will need to develop new materials and resources to advise individuals of their rights under S.B. 4 and its impact on them.
10. The County continually seeks to develop better community-government relationships. Community perspectives are an important factor in setting policy that can improve general quality of life for County residents. Community engagement leads to equitable public decisions that in turn improve quality of life and public safety.
11. On October 2022, the County opened a Migrant Support Services Center (Center) with the goal of reducing the strain on overcrowded shelters and detention facilities while mitigating people sleeping on the streets and loitering. The Center facilitates travel for asylum seekers who were released from custody by federal immigration enforcement officers. The Center helps approximately 600-800 persons per day. In total, the Center has helped facilitate self-pay travel for close to 75,000 asylum seekers who have a sponsor in the U.S. and have the resources to travel to their destination quickly.

12. Enforcement of S.B. 4 will interfere with the operation of the Center by potentially exposing asylum seekers to criminal prosecution and removal through S.B. 4.
13. S.B. 4 will also erode public trust in the County government and the operation of the Center. The purpose of the Office of New Americans is to engage our immigrant population and new arrivals to help them integrate into our country and community. The possible criminalization of immigrant populations under SB4 would push them further into the shadows of society afraid of seeking any government service due to fear of arrest. This hinders ONA's ability to reach this vulnerable population. To mitigate this, ONA would have to increase their outreach team and efforts within immigrant communities to educate on SB4 and attempt to regain trust.
14. This uncertainty may create mass walkouts from the Center leading to homelessness, street sleeping, public loitering, and the public safety concerns that come with it.
15. S.B. 4 interferes with other goals from the County's 2020-2024 Strategic Plan including "Leading in Justice Reform" and "Promote Collaboration."
16. One of the key strategies in achieving "Leading in Justice Reform" is for the County to make best efforts to only incarcerate those that are a high risk to public safety." Enforcement of S.B. 4 will directly frustrate this goal by forcing the County to incarcerate persons solely for immigration law violations, regardless of their risk to public safety.
17. Under the goal of "Promote Collaboration" the County includes two objectives: collaborate regionally and internationally to achieve better outcomes and expanding/enhancing communication to the El Paso Community. Being forced to

enforced S.B. 4 will undermine partners trust in El Paso County government impeding the County's ability to collaborate with partners and the Community.

18. The County also funds and manages legal services to families in a broad range of areas to include mental health, adult protective services, child protective services, juvenile and family violence. El Paso County relies on public trust to enforce laws and to support the most vulnerable residents of the county. S.B. 4 directly frustrates the County's efforts to provide these legal services by diluting the trust the El Paso community has in its local government, making it less likely for community members to cooperate with local law enforcement and with County staff that seek to provide them with legal services.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and recollection.

Executed on 1/9/2024 at El Paso, Texas.

Irene Gutierrez

Signature

Irene Gutierrez